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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,364	08/14/2001	Chris Royal Corrie	1330.1101	6427

21171 7590 03/20/2008

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EXAMINER	
AKINTOLA, OLABODE	
ART UNIT	PAPER NUMBER
3691	
MAIL DATE	DELIVERY MODE
03/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/928,364	CORRIE ET AL.	
	Examiner	Art Unit	
	OLABODE AKINTOLA	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-18,21-29,33-35,40 and 41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-18,21-29,33-35,40 and 41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, claim 15 recites in line 3 "a grants management system comprising a processor: receiving….., receiving….., dynamically selecting…., dynamically evaluating…., combining…, ",. There is no functional relationship between the said processor and the aforementioned succeeding steps. Examiner suggests amending the claim to include "a processor for performing the steps of:" or "configured to perform the steps of:".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 15-16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patient Wait ("Emerging grants management market about to open up" & "Setting up a grant management system", 11/20/00) (hereinafter referred to as Wait) in view of Hotchkiss et al (USPAP 20010042088) (hereinafter referred to as Hotchkiss), further in view of Kurzius et al (USPN 6385620) (hereinafter referred to as Kurzius) and further in view of Prezioso (USPN 5724488) (hereinafter referred to as Prezioso).

Re claims 15-16, 18, 28: Wait teaches a system, comprising: a web-based portal; a grants management system comprising a processor operable to perform the steps comprising: receiving a grant initiative from a granting agency via the web-based portal, receiving a grant initiative application from an applicant via one of fax, thin client, in-person, and telephone and entering the grant initiative application via the web-based portal; a financial management system managing financial information of the grant initiative; and an integration unit facilitating transmission and messaging between the grants management system and the financial management system to dynamically manage grant initiative transactions and financial transactions associated with a life-cycle of the grant initiative by automatically triggering events

comprising an initiative setup process, a pre-application and an application process, a reviewer assignment process, a review and ranking process, a grant initiative selection process, a requests of grants financial activities process, an information transfer process, and a financial close out process, with the life-cycle comprising pre-application, grant publication, application intake, application review or assessment, grant award, grant administration, and grant closeout (paragraphs 9, 18, 24-32).

Wait does not explicitly teach dynamically selecting a reviewer that is best qualified to review the application according to the grant initiative from the granting agency and to generate a score, dynamically evaluating the grant initiative application using customizable decision rule data structures and generating a score, combining the scores from the reviewer and the grants management system to create a composite score to determine an application to award the grant initiative. Hotchkiss teaches dynamically selecting a reviewer that is best qualified to review the application according to the grant initiative from the granting agency and to generate a score (paragraphs 0037-0040). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wait to include this step as taught by Hotchkiss in order to route applications to appropriate reviewer. Kurzius teaches dynamically evaluating the application using customizable decision rule data structures and generating a score (col. 15, lines 8-32). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wait to include this step as taught by Kurzius in order to rank applicants according user defined criteria. Prezioso teaches combining the scores to create a composite score (col. 16, lines 50-55, Fig. 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wait to include this step as taught by Prezioso in order to ensure that the applicant

with the highest combination of scores is awarded the grant initiative.

Claims 17, 21-27, 29,33-35 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wait in view of Hotchkiss in view of Kurzius in view of Prezioso as applied in claim 15 above, and further in view of Shaheen et al (USPN 5434994) (hereinafter referred to as Shaheen).

Re claims 17, 24-27, 29, 33-35 and 40-41: Wait does not explicitly teach wherein the integration unit triggers updates to the financial management system whenever an activity in the grants management system has financial significance. Shaheen teaches event-triggered updates (col. 5, lines 62-63). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wait to include this step as taught by Shaheen in order to update the financial system due to event changes in the management system.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wait in view of Hotchkiss in view of Kurzius in view of Prezioso in view of Shaheen as applied in claim 17 above, and further in view of Joao et a. (USPAP 20020038424) (hereinafter referred to as Joao)

Re claims 21-23: Wait does not explicitly teach creating financial transactions including commitments and obligations within the financial management system. Joao teaches this concept at paragraphs 0136-0137. Therefore, it would have been obvious to one of ordinary skill in the

art at the time of the invention to modify Wait to include this feature for the obvious reason of enhancing the functionality of the system

Response to Arguments

Applicant's arguments filed 2/4/2008 have been fully considered but they are not persuasive.

Applicant argues that Wait does not teach or suggest "integrally connecting the grants management system with the financial management system…to dynamically manage grant initiative transactions and financial transactions associated with a life cycle of grant initiative". Examiner respectfully disagrees. Wait explicitly teaches "grants management systems normally don't handle the funds but have to ***interface*** into financial management systems" (paragraphs 9 and 30).

In response to applicant's argument that Hotchkiss/Kurzius/Prezioso are nonanalogous arts, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Hotchkiss/Kurzius/Prezioso references are reasonably pertinent to the particular problem with which the applicant was concerned.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching,

suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, that the combination of the various concepts taught by the references are generally available to one of ordinary skill in the art at the time of the invention. Since the claimed invention is merely a combination of old concepts/elements, one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding claim 16, applicant argues that Wait does not teach "multi-channel communication access to the grant initiative and financial transaction, file exchange to a user over a web portal, email, fax or in person. Examiner respectfully disagrees. Wait explicitly teach multiple channels of communications such as newspapers, web sites, targeted mailing and emails (see paragraph 25).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691